1:Franken et al M, G-5 (ca. 1913-1948)1960
OF7 Balinese OF7

162 563 situation it will of course be necessary to wait until the next census.

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Race, Origin, Language

144 The Balinese, like the large majority of the other inhabitants of Indonesia, are classified as Malays, who are usually included in the Palaeo-Mongolid sub-race.[8] In the sub-division into Early and Late Malays the Balinese belong to the latter group.

144 175 The ancestors of the Indonesians must originally have lived in what is now Yunan, in southwest China. Around 2000 B.C. they began to trek southwards from the mountains to the coast of Farther India, and roughly five hundred years later crossed over to Sumatra, Java, Borneo, Celebes, Bali, and to the other islands. When they settled on Bali is not known with any precision.[9]

197 The present-day languages of Indonesia are cognate, and together constitute the Indonesian language family. Inside that family there are several groups of more closely related languages. Balinese, together with the Sasakese of Lombok and the Sumbawanese of western Sumbawa, constitutes one such group.[10] In structure and syntax, then, it is more closely related to those languages than to Javanese. In the course of history,[11] however, Old Javanese (and, either directly or *via* Old Javanese, Sanskrit)[12] has had a great influence on the Balinese vocabulary, as regards not only terms for cultural elements borrowed, but also everyday terms. Hence the position of Balinese in the Indonesian language family is comparable to that of English in the Indo-Germanic family. English, too, is very closely related to the languages of one group, the Germanic, but in the course of history has been strongly influenced by Latin and French, two languages of another group, the Italic.

195 192 576 Balinese also has in common with Javanese its use of the so-called 'vocabularies of courtesy'.[13] The Balinese determines his choice of words according to the social relation between the

1:Franken et al M, G-5 (ca. 1913-1958) 1960
OF7 Balinese OF7

That the authors of the chivalric romances had not only political and dynastic relations in mind is clear from the very wording of their accounts. Taking along the paraphernalia of a *kraton* and transferring the whole court are to their way of thinking the equivalent of transplanting a culture. Hence they looked upon Bali as a continuation of Majapahit from the cultural point of view as well. And this was not the fantastic idea of such authors, but reality, as appears from the following fact. The literature of the heyday of Majapahit lives on still on Bali; in fact a large part of it we know only from manuscripts which were copied out and preserved there. And not only were the Old Javanese writings preserved on Bali, but new ones were produced in the same style. The language used in them is not so much a descendant of Old Balinese as of Old Javanese, the so-called Middle Javanese.[22] These Old and Middle Javanese works are read and recopied even today, and still largely set the norm for what is officially recognized and appreciated as literature.[23]

The nature of the accounts referred to here differs from that of the *Usana Bali* as chivalric romances differ from myth. In the latter one can at best detect a sense which is in agreement with the general trend of Balinese history; in the former there are many details that can be compared with data from other sources: those in the inscriptions and chronicles, as we have seen, and later those in the Dutch East India Company documents. In one respect, however, there is agreement: in both, the origins of the realms and their culture are sought not in Bali, but outside – in the timeless Indian world of the gods, according to the myth, or in the eastern Javanese Majapahit of the time of Gajah Mada, according to the chivalric romances. We have already seen that the point of view of the myth is still alive. But alongside it that of the chivalric romances is also still valid. Whoever wants to count for anything on Bali, even in the present century, calls himself *wong Majapahit*, 'a man of Majapahit'. 'In the beginning was Majapahit'; what lies before it is a chaos of demons and villains about which the Balinese knows practically nothing.

2: Covarrubias R-5 (1930-1933) 1938
OF7 Bali OF7

into the dye, so that the tied part remains uncoloured to produce the design. This is repeated with each colour, the part already dyed also protected by the fibre binding. When the threads are finally coloured and ready to be woven, the design of the weft is fitted exactly into the one on the warp, and a mistake spoils the work of years. Taking into consideration the laboriousness of the dyeing, the painstaking, difficult weaving, and the mystery that surrounds the secret process, it is easy to understand why the popular mind has endowed the *kamben gringsing* with such extraordinary powers. In Tenganan the scarfs are an essential part of ceremonial dress, and I-Tanggú told me that if he sold his he would lose his place in the village council. Only the finest scarfs are worn in Tenganan; imperfect ones or those in which the dyes fail to produce the required tones are sold to outsiders.

In North Bali, on the slopes of the Batur, above Tedjakula, is the Bali Aga village of Sembiran, where even the daily language is different from that of the rest of Bali. There, as in Tenganan, the " temple " is a group of rough stone altars surrounded by a neglected fence. It is hidden in the jungle near the edge of a deep ravine, a dangerous haunted place, where not even the people of Sembiran would venture alone. In Sembiran the dead are not buried; after washing the corpse, it is wrapped in new cloth, carried to the edge of the ravine, and deposited on a bamboo platform with offerings, consecrated water, and the belongings of the deceased. There it is left for three days; if, after that, it has not disappeared, this means that the spirits did not care to take it, so it is thrown unceremoniously into the ravine to be eaten by wild beasts.

There are many other mountain villages that have resisted the influence of Hinduism. Although not as extraordinary as Tenganan and Sembiran, they are equally conservative Bali Aga, like Trunyan on the shores of Lake Batur, where the largest statue in Bali is kept, that of Ratú Gedé Pantjering Djagat, powerful patron guardian of the village. There is Taro, the home of Kbó Iwá, a fearful giant of pre-Hindu days who was so great that there

2: Covarrubias R-5 (1930-1933) 1938
OF7 Bali OF7

191 564 dreadful insult to speak of someone's head as *tandas*, meaning the head of animals.

576 The type of language used in conversation is prescribed by one of the strict rules of caste etiquette, and the use of the wrong form is a serious offence. A prince has to be addressed as "highness" (*Ratú* or *Agung*), but he and the people of his caste talk to everybody in the low language, except perhaps to their parents, elder brothers, and members of the priestly caste, the Brahmanas. Polite people (not all high-born people are considered polite) are supposed to address old people in the high language.

198 197 There is still a fourth language, the Kawi, used on ritual occasions, in poetry and classic literature. It is archaic Javanese, in which nine out of ten words are Sanskrit; but the knowledge of Kawi rests almost entirely with the priests and scholarly Balinese.

191 178 The language problem of Bali has been further complicated by the addition of Malay, now officially the language of the Dutch East Indies. It is taught in the schools and is spreading rapidly among the Balinese youth because it is considerably simpler than the difficult Balinese and is free of the caste regulations. Thus a modern Balinese scholar would require five languages for social and cultural intercourse: the high, middle, and low Balinese, plus Kawi and Malay. Such a linguist is not rare today in Bali.

THE CASTES

564 177 The Hindu caste system as it is found today in Bali was not firmly implanted until after the conquest by the famous Gadja Mada. Then Hindu-Javanese rule was definitely established and the island was divided into vassal territories paying tribute to the local princes that were given control. The natives lived under a [565] class system of their own long before that time, however. They had their ranks, with a sort of aristocracy that combined government and priesthood.

184 564 Hindu-Javanese penetration did not reach many of the remote mountain communities, which remained outside the feudal ter-

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[146 cont.]
which is used by inferiors to superiors and also generally by the well-to-do, and all those who have some rank, among one another when, it is to be understood, they have the same rank; thirdly, the mădja, that is, the middle language, the language of friendly familiarity, which is spoken by private persons of like rank among one another when the Ngoko would not be friendly enough and the Krama too polite or too obsequious (1).

1. Concerning the difference between Krama and Ngoko, see Veth, Java, Vol. [no number given], pp. 439-440, and concerning the origin of these two languages, p. 441.

There are other varieties, but they need not be mentioned here.

[147] One does not find such varieties in the languages of the other peoples in the archipelago.

This difference is most apparent in the use of pronouns, for example, in Malay. Depending on the relationship, for I [ego] one uses aku, kita, hamba, sĕhaja, ulun, dĕngan, patik, hamba tuwan, jang dipĕrhamba, beta, guwa, and does it as follows: to his equals or inferiors, by a small child to his parents, by man to God, aku; also in general in writings when a difference in rank or age has nothing to do with the matter. As pluralis majestatis, one uses kita or kami, and out of politeness, even to inferiors, sĕhaja or hamba. The latter is less humble than the former. In Batavia, to lowly people or servants one says guwa (Chinese) or aku, to a reigning sovereign patik. The sovereign uses kita to his subjects, but beta to his viceroy, when he is equal in rank, or when addressing his mother, etc. (1).

1. Klinkert, Nieuw Nederl. Mal. Wdb., see ik.

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Only in the Balinese do we again find a distinction between high, middle, and low languages, but this is to be

Bali OF7
Javanese OE5
Makassar OG6
Borneo OC1
Batak OD5

BI [147 cont.]
191 attributed to Javanese influence. Here, however, there are no
197 definite names for the three varieties of language. Another
I distinction is that between old and new language. Thus, one
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MK speaks of Old Javanese, or Kawi, and New Javanese (2), Old
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2. Veth, Java, Vol. I, pp. 407 ff.

and New Buginese (3), etc.

3. Matthes, Boegineesche Spraakkunst, Introduction. Matthes, Makassaarsche Spraakkunst, Introduction, VIII.

MK A third distinction is made between the ordinary language
198 and the one used at religious ceremonies. This is often even the rule and naturally so, because religious formulas remain unchanged even though the language changes. For instance, the pagan priests, bissu, of the Makassarese and Buginese use a special language (4), as do the balian of the Dajak, which is called

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4. Matthes, Iets over de Bissoe's [Something about the Bissu], etc., p. 2. Hardeland, Dajaksche Grammatik, pp. 7-9.

basa sangiang, language of the spirits. These languages are primarily distinguished by [148] the use of words that the people do not understand, words that are either obsolete or adopted from other languages and that even the priest themselves often no
Bt longer comprehend. A similar language among the Batak is
198 called hata pangaraksaon and is used by soothsayers to conjure the spirits. This is not an obsolete language, however, but is more flowery language with circumlocutions, with which even lifeless objects are addressed as though they were persons. They are given names taken from one or another property of the object.

12: Haar S-4 (1939) 1948 OB1 Indonesia OB1
Sundanese OE7 Batak OD5
Bali OF7 Minangkabau OD10
Ngadju OC9
Javanese OE5
I Bl Bt MK S 114 671 192 197 226

B. EFFECTIVENESS OF INDONESIAN LEGAL TERMINOLOGY

To these remarks on Dutch as a legal language in relation to adat law, we must now add two remarks on native legal language. First: the conscious technical development of the language used to indicate legal relations and transactions has in some degree here and there (Batak, Minangkabau, and Sunda) taken a direction of its own. But everywhere it has lagged compared to the present-day development of a class of native lawyers. This is naturally so, because this development takes place in Dutch, and there has been no initiative to adapt the native language up to now (1939). Vergouwen's book on the Toba-Batak, with its use of Batak words for important law rubrics, does more for this than anything else. Korn, also, called for more attention to the legal language of Bali, which is technically developed to a high point, and he calls for more attention to the destructive influence on it of the present-day use of Malay in the native courts. Indonesian lawyers should resume this native terminology and see what there is to learn from it for a better discernment of native distinctions and native legal conceptions. We think, for instance, of the numerous names for delicts and penalties for delicts which have baffled Dutch practitioners of adat law.

Secondly: There must nearly always be an "actual" relation between institutions and transactions indicated by similar terms, and an "actual" difference between differently named institutions and transactions. We must have a better understanding of the terms for land and possessions in relation to their legal status. We must distinguish between necessary and accidental terminology. Therefore, the determination of native terms is eminently necessary. Mallinckrodt gives some striking examples of the search for the kernel of meaning in apparently divergent legal terms. His interest in the problem of legal language, like that of Korn and Vergouwen, is influenced by van Vollenhoven's *Indonesische Rechtstaal* (1922), in which these problems were posed for the first time. The job of tracing and sifting the meanings of words is of a very subtle nature. To indicate some of the most well-known problems: what is the legal significance of such terms as "adol," "jual," "tuku," "beli," and words etymologically connected with them? There is a little adat literature about the word "tukon," meaning the payment which takes place at a Javanese marriage, but there is no unanimity in it; this is also true of the word "adol." What is the significance of the fact that a Dyak tribe uses the same word to

JE 114 671 192 197 Ng Bt 114 671 192 197